



0000036090

ORIGINAL

RECEIVED

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

DOCKETED

2002 MAY 20 P 3:40

MAY 20 2002

AZ CORP COMMISSION
DOCUMENT CONTROL

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

DOCKETED BY

mal

IN THE MATTER OF THE GENERIC
PROCEEDINGS CONCERNING
ELECTRIC RESTRUCTURING

DOCKET NO. E-00000A-02-0051

IN THE MATTER OF ARIZONA
PUBLIC SERVICE COMPANY'S
REQUEST FOR VARIANCE OF
CERTAIN REQUIREMENTS OF A.A.C.
4-14-2-1606

DOCKET NO. E-01345A-01-0822

IN THE MATTER OF THE GENERIC
PROCEEDINGS CONCERNING THE
ARIZONA INDEPENDENT
SCHEDULING ADMINISTRATOR

DOCKET NO. E-00000A-01-0630

IN THE MATTER OF TUCSON
ELECTRIC COMPANY'S
APPLICATION FOR A VARIANCE OF
CERTAIN ELECTRIC POWER
COMPETITION RULES COMPLIANCE
DATES

DOCKET NO. E-01933A-98-0471

ISSUES IN THE MATTER OF TUCSON
ELECTRIC POWER COMPANY'S
APPLICATION FOR A VARIANCE OF
CERTAIN ELECTRIC COMPETITION
RULES COMPLIANCE DATES

DOCKET NO. E-01933A-02-0069

**RESPONSE OF PANDA GILA RIVER,
L.P. TO STAFF'S REQUEST FOR A
PROCEDURAL ORDER**

On May 13, 2002, Commission Staff filed a "Request for Procedural Order" ("Request") in response to the Commission's May 2, 2002 Procedural Order governing the conduct of further proceedings in Docket No. E-00000A-02-0051, the Commission's generic proceeding concerning electric restructuring. In its Request, Staff requested that "the parties provide Staff with brief written comments on the following topics: 1) the criteria for selecting the independent evaluator; 2) the role of the independent evaluator in

1 the Track B proceeding; 3) the payment arrangements for the independent evaluator; and
2 4) a description of the various types of competitive solicitations and their attributes.”
3 Request at 2. Panda Gila River, L.P. (“Panda”) submits these comments in response to
4 Staff’s request.

5 **1. Criteria For Selecting The Independent Evaluator**

6 To ensure independence, the evaluator retained in this proceeding should not have
7 been retained, employed or otherwise have received tangible benefit from APS, TEP or
8 any subsidiary, parent company or affiliate of APS or TEP during the last five years. One
9 of the primary purposes of the evaluator is to ensure that APS and TEP do not implement
10 the competitive solicitation in any manner that would unfairly benefit their affiliates, and
11 the evaluator must have no connection with either utility or such affiliates to guarantee
12 independence.

13 The evaluator also must not be under contract with any party to this proceeding for
14 services related to any of these consolidated dockets, whether as a testifying or
15 nontestifying expert. If the independent evaluator has been retained by any party to this
16 proceeding for services unrelated to this proceeding, the evaluator should be required to
17 disclose the terms of such employment to Staff and the parties to ensure that existing
18 contracts do not taint the evaluator’s independence.

19 The goal is to get the best deal for the ratepayers of Arizona in terms of price, risk,
20 and reliability and in order for the independent evaluator to assist in achieving this goal he
21 or she must possess two primary skill sets: (a) project development skills and (b)
22 production and transmission system modeling expertise. The project development skills
23 are most important and consist of experience in negotiation of contracts and pricing,
24 financial evaluation of power projects, and a working knowledge of generating facilities.
25 The individual or team with these skills reviews the bids, puts them in a common format,
26 and conducts a thorough financial analysis. The individual or team with the production

1 and transmission system modeling skills provides input to the bid reviewer(s) to make sure
2 that the capacity and energy from the bids is deliverable and the associated risks and costs
3 of delivery are properly reflected in the financial analysis. The evaluation of bids may be
4 split into two categories (the technical evaluation and the economic analysis). If
5 appropriate, the Commission could select a mix of experts or teams to provide the best
6 guidance through the process and evaluation of bids.

7 Commission Staff already has experience selecting independent consultants to assist
8 Staff and the Commission in contested proceedings. Panda believes that the Commission
9 should issue an RFP seeking proposals to serve as the independent evaluator, and should
10 select the evaluator based on responses to the RFP. This was the procedure used in
11 selecting a Third Party Test Administrator and Third Party Test Transaction Generator to
12 evaluate Qwest Operational Support Systems in Qwest's application for authority to offer
13 in-region long distance services pursuant to the Telecommunications Act of 1996. The
14 Commission could use a similar process here.

15 **2. Role Of The Independent Evaluator In The Track B Proceeding**

16 To ensure that utilities and their generation and marketing affiliates do not
17 administer the process for their own benefit, the independent evaluator should be involved
18 in all steps of the process. The evaluator should participate in the Track B process and
19 assist the parties in developing guidelines for the competitive solicitation. The evaluator
20 should develop rules for the solicitation according to the guidelines developed in Track B,
21 assist TEP and APS in drafting proposed solicitations and model contracts to ensure that
22 the RFP complies with the procedures and rules, should have ultimate authority to review
23 submitted bids and select a short list of candidates, and should prepare a report to the
24 Commission regarding the RFP, bids, scoring and selected candidates. Commission Staff
25 and APS personnel (not affiliated with generation development) may participate on the bid
26 evaluation team, but the team should be led by the independent evaluator(s).

1 **3. Payment Arrangements For The Independent Evaluator**

2 Costs of the independent evaluator should be borne by APS and TEP as the utilities
3 issuing the competitive solicitation. This arrangement is common for consultants required
4 in Commission proceedings, and was used by the Commission in Qwest's Section 271
5 proceeding. In that case, requiring Qwest to pay for the costs of the consultant did not
6 make the consultant beholden to Qwest, and there is no reason to believe that requiring
7 APS and TEP to pay for the independent evaluator will lead the evaluator to be biased in
8 favor of APS or TEP here.

9 However, to ensure there is no perception of a conflict of interest, the independent
10 evaluator(s) should be retained and paid by the Commission. The Commission would be
11 reimbursed for such expense by APS and TEP. The independent evaluator would be on a
12 fixed payment schedule, which the Commission can refuse to pay based on failure to meet
13 deadlines, or negligence, but not based on the results of the evaluation. The fixed payment
14 schedule allows the evaluator(s) to be truly independent, and although the evaluator(s) are
15 retained by the Commission, the evaluation should not be directed by the Commission or
16 its Staff.

17 In the alternative, the Commission could be reimbursed for the costs of the
18 independent evaluator by fixed bid fees not to exceed \$10,000 per bid. The actual bid fee
19 would be based on the fixed costs under the evaluator's contract and the expected number
20 of bids.

21 **4. Types Of Competitive Solicitations**

22 There are a number of possible solicitation structures the Commission could use in
23 seeking bids for Standard Offer Service, but Panda believes an RFP or a Sealed Bid
24 Auction¹ would be most appropriate. An RFP would result in one or more pay-for-

25 ¹ Other forms of competitive solicitation include clock auctions (where bidders would make descending bids for a
26 fixed period of time), two-stage bidding (in which bidders first present unpriced proposals, with final proposals and
price terms in a second stage) and dual bid auctions (where a sealed bid auction sets the initial bid, followed by a
timed public bid auction). However, none of these forms of solicitation provide additional benefit, and most public

1 performance contracts no shorter than one year in duration. First, APS and TEP would
2 issue requests that include instructions, schedules, background information, a package
3 with specific forms allowing for fixed-price or fixed-formula pricing and required non-
4 price terms to be included in each bid. After bids are submitted, the bids would be
5 screened for acceptance based on clear, precise threshold conditions known in advance.
6 The best bids would be short-listed on a "winners list" and negotiations would ensue to
7 finalize contracts based on each of the winning bids. Lastly, the final contracts would be
8 approved by the Commission. All bids would be kept confidential, but the final winning
9 contract(s) would be made public. Such an RFP allows the weighing of risk, reliability
10 and other non-price factors along with price in the form of negotiation, and is anticipated
11 to be the best competitive solicitation option.

12 Alternatively, Sealed Final Bid Auctions could be used, but are most effective only
13 when little or no significant variation is expected in the non-price factors of the bid. It is
14 likely that there will be significant variation in the non-price terms of the potential
15 suppliers' bids. Therefore, an RFP, which allows the weighing of risk, reliability and
16 other non-price factors along with price in the form of negotiation is anticipated to be the
17 best competitive solicitation option.

18 ...

19 ...

20 ...

21 ...

22 ...

23 ...

24 ...

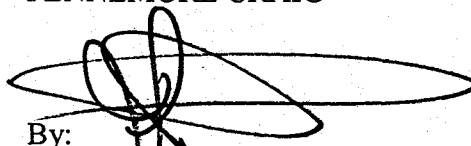
25 ...

26

utilities have experience with RFPs and sealed bid auctions.

1 RESPECTFULLY SUBMITTED this 20th day of May 2002.

2 FENNEMORE CRAIG

3 

4 By: _____

5 C. Webb Crockett

6 Jay L. Shapiro

7 Fennemore Craig

8 3003 N. Central Ave., Suite 2600

9 Phoenix, AZ 85012

10 Attorneys for Panda Gila River, L.P.

11 Larry F. Eisenstat

12 Frederick D. Ochsenhirt

13 Dickstein Shapiro Morin & Oshinsky, LLP

14 2101 L Street, NW

15 Washington, DC 20037

16 Attorneys for TPS GP, Inc.

17 1303508.1/73262.005

ORIGINAL +10 copies of the foregoing filed this
20th day of May, 2002, with:

Docket Control
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, Arizona

COPY hand delivered this day to:

CHAIRMAN WILLIAM MUNDELL
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

COMMISSIONER JIM IRVIN
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

COMMISSIONER MARC SPITZER
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

HERCULES DELLAS, AIDE TO CHAIRMAN
MUNDELL
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

KEVIN BARLAY, AIDE TO
COMMISSIONER IRVIN
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

PAUL WALKER, AIDE TO COMMISSIONER
SPITZER
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Lyn Farmer
Chief Administrative Law Judge
ARIZONA CORPORATION COMMISSION
1200 W. Washington Street
Phoenix, Arizona 85007

Christopher Kempley, Chief Counsel
ARIZONA CORPORATION COMMISSION

1285855.3/73262.005

1200 W. Washington Street
Phoenix, Arizona 85007

Ernest G. Johnson, Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, Arizona 85007

COPY MAILED/E-MAILED* this 20th day
of May, 2002, to:

Lindy Funkhouser
Scott S. Wakefield
RUCO
2828 N Central Ave, Suite 1200
Phoenix, Arizona 85004

*Michael A. Curtis

*William P. Sullivan

*Paul R. Michaud

MARTINEZ & CURTIS, P.C.

2712 North 7th Street
Phoenix, Arizona 85006

Attorneys for Arizona Municipal Power Users
Association, Mohave Electric Cooperative, Inc.,
Navopache Electric Cooperative, Inc., & Primesouth,
Inc.

mcurtis401@aol.com

wsullivan@martinezcurtis.com

pmichaud@martinezcurtis.com

Walter W. Meek, President
ARIZONA UTILITY INVESTORS ASSOCIATION
2100 N. Central Avenue, Suite 210
Phoenix, Arizona 85004

Rick Gilliam
Eric C. Guidry
LAND AND WATER FUND OF THE ROCKIES
ENERGY PROJECT
2260 Baseline Road, Suite 200
Boulder, Colorado 80302

Terry Frothun
ARIZONA STATE AFL-CIO
5818 N. 7th Street, Suite 200
Phoenix, Arizona 85014-5811

Norman J. Furuta
DEPARTMENT OF THE NAVY
900 Commodore Drive, Building 107
San Bruno, California 94066-5006

Barbara S. Bush
COALITION FOR RESPONSIBLE ENERGY
EDUCATION
315 West Riviera Drive
Tempe, Arizona 85252

Sam Defraw (Attn. Code 00I)
Rate Intervention Division
NAVAL FACILITIES ENGINEERING COMMAND
Building 212, 4th Floor
901 M Street, SE
Washington, DC 20374-5018

Rick Lavis
ARIZONA COTTON GROWERS ASSOCIATION
4139 East Broadway Road
Phoenix, Arizona 85040

Steve Brittle
DON'T WASTE ARIZONA, INC.
6205 South 12th Street
Phoenix, Arizona 85040

COLUMBUS ELECTRIC COOPERATIVE, INC.
P.O. Box 631
Deming, New Mexico 88031

CONTINENTAL DIVIDE ELECTRIC
COOPERATIVE
P.O. Box 1087
Grants, New Mexico 87020

DIXIE ESCALANTE RURAL ELECTRIC
ASSOCIATION
CR Box 95
Beryl, Utah 84714

GARKANE POWER ASSOCIATION, INC.
P.O. Box 790
Richfield, Utah 84701

ARIZONA DEPT OF COMMERCE
ENERGY OFFICE
3800 North Central Avenue, 12th Floor
Phoenix, Arizona 85012

ARIZONA COMMUNITY ACTION ASSOC.
2627 N. 3rd Street, Suite 2
Phoenix, Arizona 85004

TUCSON ELECTRIC POWER CO.
Legal Dept - DB203
220 W 6th Street
1285855.3/73262.005

P.O. Box 711
Tucson, Arizona 85702-0711

A.B. Baardson
NORDIC POWER
6464 N. Desert Breeze Ct.
Tucson, Arizona 85750-0846
Jessica Youle
PAB300
SALT RIVER PROJECT
P.O. Box 52025
Phoenix, Arizona 85072-2025

Joe Eichelberger
MAGMA COPPER COMPANY
P.O. Box 37
Superior, Arizona 85273

Craig Marks
CITIZENS UTILITIES COMPANY
2901 N. Central Avenue, Suite 1660
Phoenix, Arizona 85012-2736

Barry Huddleston
DESTEC ENERGY
P.O. Box 4411
Houston, Texas 77210-4411

Steve Montgomery
JOHNSON CONTROLS
2032 West 4th Street
Tempe, Arizona 85281

Peter Glaser
Shook, Hardy & Bacon, L.L.P.
600 14th Street, N.W., Suite 800
Washington, D.C. 20006-2004

Clara Peterson
AARP
HC 31, Box 977
Happy Jack, Arizona 86024

Larry McGraw
USDA-RUS
6266 Weeping Willow
Rio Rancho, New Mexico 87124

Jim Driscoll
ARIZONA CITIZEN ACTION
5160 E. Bellevue Street, Apt. 101

Tucson, AZ 85712-4828

William Baker
ELECTRICAL DISTRICT NO. 6
7310 N. 16th Street, Suite 320
Phoenix, Arizona 85020

Robert Julian
PPG
1500 Merrell Lane
Belgrade, Montana 59714

Robert S. Lynch
340 E. Palm Lane, Suite 140
Phoenix, Arizona 85004-4529
Attorney for Arizona Transmission Dependent
Utility Group

K.R. Saline
K.R. SALINE & ASSOCIATES
Consulting Engineers
160 N. Pasadena, Suite 101
Mesa, Arizona 85201-6764

Carl Robert Aron
Executive Vice President and COO
ITRON, INC.
2818 N. Sullivan Road
Spokane, Washington 99216

Douglas Nelson
DOUGLAS C. NELSON PC
7000 N. 16th Street, Suite 120-307
Phoenix, Arizona 85020-5547
Attorney for Calpine Power Services

*Lawrence V. Robertson Jr.
MUNGER CHADWICK, PLC
333 North Wilmot, Suite 300
Tucson, Arizona 85711-2634
Attorney for Southwestern Power Group, II, LLC;
Bowie Power Station, LLC; Toltec Power Station,
LLC; and Semptra Energy Resources
Lvrobertson@mungerchadwick.com

*Tom Wran
Southwestern Power Group II
Twran@southwesternpower.com

*Theodore E. Roberts
SEMPRA ENERGY RESOURCES
1285855.3/73262.005

101 Ash Street, HQ 12-B
San Diego, California 92101-3017
Troberts@sempra.com

Albert Sterman
ARIZONA CONSUMERS COUNCIL
2849 East 8th Street
Tucson, Arizona 85716

*Michael Grant
GALLAGHER & KENNEDY
2575 East Camelback Road
Phoenix, Arizona 85016-9225
Attorneys for AEPCO, Graham County Electric
Cooperative, and Duncan Valley Electric
Cooperative.
Mmg@gknet.com

Vinnie Hunt
CITY OF TUCSON
Department of Operations
4004 S. Park Avenue, Building #2
Tucson, Arizona 85714

Ryle J. Carl III
INTERNATION BROTHERHOOD OF
ELECTRICAL WORKERS, L.U. #1116
750 S. Tucson Blvd.
Tucson, Arizona 85716-5698

Carl Dabelstein
CITIZENS COMMUNICATIONS
2901 N. Central Ave., Suite 1660
Phoenix, Arizona 85012

Roderick G. McDougall, City Attorney
CITY OF PHOENIX
Attn: Jesse Sears, Assistant Chief Counsel
200 W Washington Street, Suite 1300
Phoenix, Arizona 85003-1611

*William J. Murphy
CITY OF PHOENIX
200 West Washington Street, Suite 1400
Phoenix, Arizona 85003-1611
Bill.murphy@phoenix.gov

*Russell E. Jones

WATERFALL ECONOMIDIS CALDWELL
HANSHAW & VILLAMANA, P.C.
5210 E. Williams Circle, Suite 800
Tucson, Arizona 85711
Attorneys for Trico Electric Cooperative, Inc.
Rjones@wechv.com

*Christopher Hitchcock
HITCHCOCK & HICKS
P.O. Box 87
Bisbee, Arizona 85603-0087
Attorney for Sulphur Springs Valley
Electric Cooperative, Inc.
Lawyers@bisbeelaw.com

Andrew Bettwy
Debra Jacobson
SOUTHWEST GAS CORPORATION
5241 Spring Mountain Road
Las Vegas, Nevada 89150-0001

Barbara R. Goldberg
OFFICE OF THE CITY ATTORNEY
3939 Civic Center Blvd.
Scottsdale, Arizona 85251

Bradford A. Borman
PACIFICORP
201 S. Main, Suite 2000
Salt Lake City, Utah 84140

Timothy M. Hogan
ARIZONA CENTER FOR LAW
IN THE PUBLIC INTEREST
202 E. McDowell Rd., Suite 153
Phoenix, Arizona 85004

Marcia Weeks
18970 N. 116th Lane
Surprise, Arizona 85374

John T. Travers
William H. Nau
272 Market Square, Suite 2724
Lake Forest, Illinois 60045

Timothy Michael Toy
WINTHROP, STIMSON, PUTNAM & ROBERTS
One Battery Park Plaza
New York, New York 10004-1490

*Raymond S. Heyman
Michael W. Patten
1285855.3/73262.005

ROSHKA HEYMAN & DEWULF, PLC
400 E. Van Buren, Suite 800
Phoenix, Arizona 85004
Attorneys for Tucson Electric Power Co.
Rheyman@rhd-law.com

Billie Dean
AVIDD
P O Box 97
Marana, Arizona 85652-0987
Raymond B. Wuslich
WINSTON & STRAWN
1400 L Street, NW
Washington, DC 20005

Steven C. Gross
PORTER SIMON
40200 Truckee Airport Road
Truckee, California 96161-3307
Attorneys for M-S-R Public Power Agency

Donald R. Allen
John P. Coyle
DUNCAN & ALLEN
1575 Eye Street, N.W., Suite 300
Washington, DC 20005

Ward Camp
PHASER ADVANCED METERING SERVICES
400 Gold SW, Suite 1200
Albuquerque, New Mexico 87102

Theresa Drake
IDAHO POWER COMPANY
P.O. Box 70
Boise, Idaho 83707

Libby Brydolf
CALIFORNIA ENERGY MARKETS
NEWSLETTER
2419 Bancroft Street
San Diego, California 92104

Paul W. Taylor
R W BECK
2201 E. Camelback Rd Suite 115-B
Phoenix, Arizona 85016-3433

James P. Barlett
5333 N. 7th Street, Suite B-215
Phoenix, Arizona 85014
Attorney for Arizona Power Authority

*Jay I. Moyes
MOYES STOREY
3003 N. Central Ave., Suite 1250
Phoenix, Arizona 85012
Attorneys for PPL Southwest Generation Holdings,
LLC; PPL EnergyPlus, LLC and PPL Sundance
Energy, LLC
Jimoyes@lawms.com

Stephen L. Teichler
Stephanie A. Conaghan
DUANE MORRIS & HECKSCHER, LLP
1667 K Street NW, Suite 700
Washington, DC 20006

Kathy T. Puckett
SHELL OIL COMPANY
200 N. Dairy Ashford
Houston, Texas 77079

Andrew N. Chau
SHELL ENERGY SERVICES CO., LLC
1221 Lamar, Suite 1000
Houston, Texas 77010

Peter Q. Nyce, Jr.
DEPARTMENT OF THE ARMY
JALS-RS Suite 713
901 N. Stuart Street
Arlington, Virginia 22203-1837

Michelle Ahlmer
ARIZONA RETAILERS ASSOCIATION
224 W. 2nd Street
Mesa, Arizona 85201-6504

Dan Neidlinger
NEIDLINGER & ASSOCIATES
3020 N. 17th Drive
Phoenix, Arizona 85015

Chuck Garcia
PNM, Law Department
Alvarado Square, MS 0806
Albuquerque, New Mexico 87158

Sanford J. Asman
570 Vinington Court
Dunwoody, Georgia 30350-5710
*Patricia Cooper
AEP/CO/SSWEP/CO
P.O. Box 670
Benson, Arizona 85602
1285855.3/73262.005

Pcooper@aepnet.org

Steve Segal
LEBOEUF, LAMB, GREENE, & MACRAE
633 17th Street, Suite 2000
Denver, Colorado 80202-3620

Holly E. Chastain
SCHLUMBERGER RESOURCE
MANAGEMENT SERVICES, INC.
5430 Metric Place
Norcross, Georgia 30092-2550

Leslie Lawner
ENRON CORP
712 North Lea
Roswell, New Mexico 88201

Alan Watts
Southern California Public Power Agency
529 Hilda Court
Anaheim, California 92806

Frederick M. Bloom
Commonwealth Energy Corporation
15991 Red Hill Avenue, Suite 201
Tustin, California 92780

Margaret McConnell
Maricopa Community Colleges
2411 W. 14th Street
Tempe, Arizona 85281-6942

Brian Soth
FIRSTPOINT SERVICES, INC.
1001 S.W. 5th Ave, Suite 500
Portland, Oregon 97204

Jay Kaprosy
PHOENIX CHAMBER OF COMMERCE
201 N. Central Ave., 27th Floor
Phoenix, Arizona 85073

Kevin McSpadden
MILBANK, TWEED, HADLEY AND
MCCLOY, LLP
601 S. Figueroa, 30th Floor
Los Angeles, California 90017

M.C. Arendes, Jr.
C3 COMMUNICATIONS, INC.
2600 Via Fortuna, Suite 500
Austin, Texas 78746

*Patrick J. Sanderson
ARIZONA INDEPENDENT SCHEDULING
ADMINISTRATOR ASSOCIATION
P.O. Box 6277
Phoenix, Arizona 85005-6277
Psanderson@az-isa.org

*Roger K. Ferland
QUARLES & BRADY STREICH LANG, L.L.P.
Renaissance One
Two North Central Avenue
Phoenix, Arizona 85004-2391
Rferland@quarles.com

Charles T. Stevens
ARIZONANS FOR ELECTRIC CHOICE &
COMPETITION
245 W. Roosevelt
Phoenix, Arizona 85003

Mark Sirois
ARIZONA COMMUNITY ACTION ASSOC.
2627 N. Third Street, Suite 2
Phoenix, Arizona 85004

*Jeffrey Guldner
Thomas L. Mumaw
SNELL & WILMER
400 E. Van Buren,
One Arizona Center
Phoenix, Arizona 85004-0001
Tmumaw@swlaw.com

Steven J. Duffy
RIDGE & ISAACSON PC
3101 N. Central Avenue, Suite 740
Phoenix, Arizona 85012

*Greg Patterson
5432 E. Avalon
Phoenix, Arizona 85018
Gpatterson@aol.com

*John Wallace
Grand Canyon State Electric Co-op
120 N. 44th Street, Suite 100
Phoenix, Arizona 85034-1822
Jwallace@gcseca.org

Steven Lavigne
DUKE ENERGY
4 Triad Center, Suite 1000
1285855.3/73262.005

Salt Lake City, Utah 84180

Dennis L. Delaney
K.R. SALINE & ASSOC.
160 N. Pasadena, Suite 101
Mesa, Arizona 85201-6764

Kevin C. Higgins
ENERGY STRATEGIES, LLC
30 Market Street, Suite 200
Salt Lake City, Utah 84101

*Michael L. Kurtz
BORHM KURTZ & LOWRY
36 E. Seventh Street, Suite 2110
Cincinnati, Ohio 45202
Mkurtzlaw@aol.com

David Berry
P.O. Box 1064
Scottsdale, Arizona 85252

*William P. Inman
Dept. of Revenue
1600 W. Monroe, Room 911
Phoenix, Arizona 85007
InmanW@revenue.state.az.us

*Robert Baltes
ARIZONA COGENERATION ASSOC.
7250 N. 16th Street, Suite 102
Phoenix, Arizona 85020-5270
Bbaltes@bvaeng.com

*Jana Van Ness
APS
Mail Station 9905
P.O. Box 53999
Phoenix, Arizona 85072-3999
Jana.vanness@aps.com

David Couture
TEP
4350 E. Irvington Road
Tucson, Arizona 85714

*Kelly Barr